



Order Filed on April 16, 2024
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

20-12407 BKMFR03
BROCK & SCOTT, PLLC
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Attorneys for Santander Bank, N.A.

In Re:

SIMONE VASSELL AKA SIMONE WYNTER

Case No: 19-19342-CMG

Hearing Date: March 6, 2024

Judge: CHRISTINE M.
GRAVELLE

Chapter: 13

Recommended Local Form

Followed

Modified

**ORDER RESOLVING MOTION TO VACATE STAY
AND/OR MOTION TO DISMISS
WITH CONDITIONS**

The relief set forth on the following pages, numbered two (2) through three (3) is **ORDERED**.

DATED: April 16, 2024

A handwritten signature in black ink, appearing to read "Christine M. Gravelle".

Honorable Christine M. Gravelle
United States Bankruptcy Judge

Applicant:	<u>Santander Bank, N.A.</u>
Applicant's Counsel:	<u>Matthew Fissel, Esquire, Brock & Scott, PLLC</u>
Debtor's Counsel:	<u>Robert Cameron Legg, Esquire</u>
Property Involved ("Collateral"):	<u>9 Harrier Court, Tinton Falls, NJ 07724</u>

Relief sought: Motion for relief from the automatic stay
 Motion to dismiss
 Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion is resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- The Debtor is overdue for 3 months, from January 1, 2024 to March 1, 2024.
- The Debtor is overdue for 2 payments at \$439.51 per month, for 1 payment at \$455.43 per month.
- The Debtor is assessed for _____ late charges at \$_____ per month.
- Applicant acknowledges receipt of funds in the amount of \$_____ received after the motion was filed.
- There is currently \$233.83 being held in Debtor's suspense account.

Total Arrearages Due: \$1,100.62

2. Debtor must cure all post-petition arrearages, as follows:

- Immediate payment shall be made in the amount of \$_____. Payment shall be made no later than _____.
- Beginning on April 1, 2024, regular monthly mortgage payments in the amount of \$455.43 shall resume.
- Beginning on April 15, 2024, additional monthly cure payments shall be made in the amount of \$183.44 for 5 months, and one final payment of \$183.42 for 1 month.
- The amount of \$_____ shall be capitalized in the Debtor's Chapter 13 plan. Debtor shall file a Modified Plan within 15 days of entry of this Order.

3. Payments to the Applicant shall be made to the following addresses:

Immediate payment:

Regular monthly payment:

Santander Bank, N.A., 1 Corporate Drive, Ste
360, Lake Zurich, IL 60047

Monthly cure payment:

Santander Bank, N.A., 1 Corporate Drive, Ste
360, Lake Zurich, IL 60047

4. In the event of Default:

If the Debtor fails to make any regular monthly payment or any additional monthly cure payment within thirty (30) days of the date the payment becomes due, then the Applicant may obtain an Order vacating, terminating, and/or annulling the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtor's failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and the Debtor's attorney.

If the bankruptcy case is dismissed or converted, this Agreement is void and the instant bankruptcy case will not act to impose the automatic stay against the Applicant's opportunity to proceed against its Collateral without further Order of the Court.

5. Award of Attorneys' Fees:

The Applicant is awarded attorney fees of \$500.00, and costs of \$199.00.

The fees and costs are payable:

through the Chapter 13 plan.

to the Applicant within _____ days.

Attorneys' fees are not awarded.

rev.8/1/15